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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,068	04/20/2000	Christopher Phillips	04814.P017	5825

25943 7590 07/24/2003

SCHWABE, WILLIAMSON & WYATT, P.C.
PACWEST CENTER, SUITES 1600-1900
1211 SW FIFTH AVENUE
PORTLAND, OR 97204

EXAMINER

PATEL, JAGDISH

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/553,068

Applicant(s)

PHILLIPS ET AL.

Examiner

JAGDISH N PATEL

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-- Th MAILING DATE of this communication appears on th cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claims 2,3 .. are objected to because of the following informalities:

Claim 2, for example, recites term "first/second billing data". It is not clear if this term is intended to recite the first and the second "billing data" is in alternative form(first or second, at least one etc.)or inclusive form (first and second). Examiner assumes "first/second" as "first or second".

Appropriate correction is required.

[Note: this analysis is applicable to every claim reciting the aforementioned term.]

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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4. Claims 1-29 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are:

Claim 1: no relationship is recited between first set method steps of "registering a user" in combination with " a billing service providing a first billing data" and the second set of "registering the user" in combination with " the billing service providing a first billing data".

Dependent claims 2-25 inherit same deficiency.

Likewise, claim 26 recites "the electronic selecting a first set of said billing datas..first business" does not relate to limitation "the electronic selecting a second set of said billing datas..second business".

Claim 1 recites, "registering a user with a first web site", then it recites "a billing service providing a first billing data for use to register the user with said first web site". This recitation is unclear and vague, because it appears that the first data is provided only after the registering of the user is already done in the first step. The first step

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implies that "first billing data" is not needed for registration rendering the providing step irrelevant.

Claim 2 and 3 confirms this ambiguity. Claim 2, states that "the first/second billing data are provided to the user in advance of said registering..", thus the "providing" step of claim 1 is rendered.

Dependent claims 27-29 inherit same deficiency.

Claims 11-12: limitation " said computing device" lack antecedent basis. It is interpreted as "said user".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1-21 and 25 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Demoff et al. (US Pat. 6,456,984). (Demoff).

Claim 1: Demoff discloses a method comprising:
registering a user with a first web site;
a billing service providing a first billing data for use to register the user with said first web site;
registering the user with a second web site; and
the billing service providing a second billing data, separate and distinct from the first billing data, for use to register said user with said second web site.
(col. 2 user is registered with a registered vendor who provides a direct link to service provider from inside a vendor's web page. Note that for each transaction associated with a vendor a separate and distinct "transaction number" is provided by the billing service called "E-commerce" system, refer to col. 2 L 8-22 and Fig.2-8).

Claim 2. wherein the first/second billing data are provided to the user in advance of said registering with said first/second web sites.

(col. 5 L 44-51, credit transaction number is sent to the customer then he may register with the vendor's web site.)

Claim 3. wherein the first/second billing data are provided to the user in real time during said registering with said first/second web sites (col. 5 L 6-31).

Claim 4. wherein the first billing data comprises a first credit card identifier, and the second billing data comprises a second credit card identifier, separate and distinct from said first credit card identifier (refer to claim 1 discussion).

Claim 5. wherein the first/second billing data is restricted to transactions between the user and said first/second web sites (inherent in view of aforementioned discussion of Demoff, for further clarification please refer to col. 5 L 53-61, ..the temporary credit transaction number is generated for that particular transaction..).

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Claim 6. wherein the first billing data corresponds to a selected one of an advance debit charge, a real-time credit charge, or a post-transaction invoicing arrangement, and the second billing data corresponds to a selected one of an advance debit charge, a real-time credit charge, or a post-transaction invoicing arrangement, said second billing data separate and distinct from said first billing data.

(col. 5 L 6-31).

Claims 7-9: said first/second web sites requiring first/second payment formats; paying for a transaction with said first/second web site according to said first/second payment format; and

billing the user according to a private billing data different from said first/second billing data.

Claims 8 and 9 are similarly analyzed.

(refer to " the charge could then be billed .." col. 5 L 6-31).

Claim 10. The method of claim 1, further comprising: the billing service obtaining said first/second billing data from a financial institution (refer to processing subsystem 28, col. 3).

Claim 11. wherein the billing service providing said first/second billing data comprises:

the billing service selecting said first/second billing data from a plurality of distinct billing data provided to said computing device (col. 3 "randomly generated unique, temporary credit transaction numbers that are valid only for a single purchase transaction and a very short period of time").

Claim 12. The method of claim 11, the method further comprising:

the billing service contacting a financial institution to obtain the plurality of distinct billing data from the financial institution; and

receiving the plurality of distinct billing data from the financial institution.

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(Fig. 8 blocks 308 and 309, in this steps the billing service performs settlement of transaction, also refer to col. 6 lines 9-24).

Claim 13. the billing service obtaining in real time said first/second billing data from a bank (refer to claim 12 analysis).

Claim 14. the billing service obtaining said first/second billing data from a bank; and during a transaction with said first/second web site, the computing device obtaining said first/second billing data in real time from the billing service (col. 3 L 34-52).

Claim 15. the billing service receiving a plurality of billing data from the bank; and selecting said first/second billing data from said plurality of billing data (Fig.4, col. 4 L 55-65, user selected categories).

Claim 16. wherein said obtaining by the billing service of said first/second billing data is performed during the transaction with said first/second web site (inherent because Demoff provides for credit transaction numbers valid for a very short period of time, col. 3 L 33-52).

Claim 17. The method of claim 1, further comprising:
notifying the billing service of usage of said first/second billing data with said first/second web sites;
wherein said notifying allows the billing service to confirm charges to said first/second billing data originate from said first/second web sites.

[refer to col. 5 L 62- col. 6 l 17, the service provider is notified of the usage of the customer's credit card with the vendor (web site of)].

Claim 18. The method of claim 17, further comprising:
wherein said notifying the billing service occurs with providing said first/second billing data to said first/second web site.

[refer to col. 5 L 62- col. 6 l 17 as discussed above].

Claim 19. The method of claim 17, further comprising:
wherein said notifying the billing service occurs after providing said first/second billing data to said first/second web site.

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[this is the case where the billing data was credit transaction number was issued for processing like a "conventional credit card, col. 4 L 22-24].

Claim 20. The method of claim 1, further comprising: receiving charges to said first and second billing data; and organizing said received charges based at least in part on whether the charges are applied to the first or the second billing data.

[refer to Fig. 4 vendor account summary discloses this limitation inherently].

Claim 21. The method of claim 20, wherein said organizing is based on whether a charge to first/second billing data is received from the web site to which said first/second billing data was provided.

[refer to Fig. 4 vendor account summary discloses this limitation inherently].

Claim 25. The method of claim 1, wherein the web site is a selected one of a content provider, a service provider and an access provider (refer to service provide 12 connected to customer 18 via a PCS mobile telephone network).

7. Claims 26-37 and 43-60 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Flitcroft et al. (US 2003/0028481) (Flitcroft).

Claim 26. Flitcroft discloses a method comprising for a user to provide substitute billing data in lieu of personal billing data for the user, comprising:

an electronic device obtaining distinct billing datas from a billing service for use by the user as a substitute for said personal billing data;

the electronic device selecting a first of said billing datas to facilitate purchasing goods from a first business;

and the electronic device selecting a second of said billing datas to facilitate purchasing goods from a second business.

(para [0072], ..these limited use numbers can be electronically downloaded to a user's personal computer for

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subsequent use. Para [0204] the cardholder then requests ..credit card to be validated for the merchant as identified by the merchant identification number..).

Claim 27: electronic device is PDA (col. 6 para [0072], radio unit 140 (such as a portable telephone)). For further analysis refer to discussion of claim 33 below.

Claim 28: The method of claim 27, where further comprising: if the associated billing data is not found, then selecting a third billing data from said distinct billing datas, associating said selected billing data with the particular business; and automatically connecting to the billing service of said association of said selected billing data with the particular business.

(para [0062] refer to additional credit card ..with a specific credit limit, this limitation amounts to the user selecting a billing data suitable for a specific credit limit if one previously selected does not meet a desired credit limit for the merchant)

Claim 29. The method of claim 26, wherein the method further comprises: the electronic device notifying the billing service of said selection of said first/second distinct billing datas to facilitate purchasing goods from said first/second business.

(Para [0204].. This request would be transmitted via the Internet to the ..computer processing center).

Claim 30. Flitcroft discloses a method comprising: an billing service registering a user; and the billing service providing at least a first and a second billing data, that are separate and distinct, for use by the user as a substitute for personal billing data when purchasing goods from a first and a second business.

(refer to para [0072] limited use billing datas).

Claim 31. The method of claim 30, wherein said first/second billing data comprises: a third billing data for use by said first/second business for charging the billing service for goods purchased by said user; and

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a fourth data for use by the billing service for billing the user for charges received from said first/second business.

(refer to para [0072] limited use billing datas and [0204] merchant identification number).

Claim 32. The method of claim 30, further comprising:
the billing service providing a plurality of distinct billing data to an electronic device;
the user selecting said first/second separate and distinct billing data from said plurality of billing data; and
associating said first/second separate and distinct billing data with said first/second business.

(refer to para [0072] limited use billing datas and [0204] merchant identification number).

Claim 33. The method of claim 32, wherein the electronic device is a personal digital assistant (PDA), said method further comprising:

disposing said distinct billing data in a memory within the electronic device;

identifying a connection attempt to a particular business;
looking for associated billing data for the particular business;
and if found, displaying the associated billing data.

(refer to para [0148) and [0204] merchant identification number).

Claim 34. The method of claim 33, wherein the method further comprises: the PDA automatically connecting to the billing service and informing it of said selection of said first/second distinct billing data.

(para [0204] this request would be transmitted via the Internet to card issuer's card processing system).

Claim 35. The method of claim 30, further comprising:
the billing service providing in real time said first/second billing data to an electronic device used by the user;
wherein the electronic device is operable to purchase goods from said first/second business.

(para [0069], user's personal computer 104, para [0204], merchant's web site).

Claim 36. The method of claim 30, further comprising:

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the billing service receiving notification of usage of said first/second billing data with said first/second business from an electronic device used by the user.

(para [0204] this request would be transmitted via the Internet to ... processing center).

Claim 37. The method of claim 36, wherein said receiving notification comprises receiving a charge against said first/second billing data by said first/second business.

(para [0204] ..value limitations as discussed above).

Claim 43. Flitcroft discloses an apparatus comprising:

a storage medium having stored therein a plurality of programming instructions designed to enable the apparatus, when the programming instructions are executed on behalf of a user, to register the user with a first web site and provide a first billing data as substitute for personal billing data of the user, for said registering with said first web site, and register the user with a second web site and provide a second billing data as substitute for personal billing data of the user, for said registering with said second web site, said second billing data separate and distinct from the first billing data; and

a processor coupled to the storage medium to execute the plurality of programming instructions.

(refer to Fig. 1 and corresponding description on p.6 para [0069] - [0072])

Claim 44. wherein the programming instructions, when executed by said processor, include further instructions to enable the apparatus to:

provide the first/second billing data to a selected one of the user for registering with said first/second web site.

(para [0072], the central processing station ..transmitting the limited use billing datas to customers, para [0204]-[205], the customer registers with a merchant's web site with appropriate billing data).

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Claim 45. wherein the programming instructions, when executed by said processor, include further instructions to enable the apparatus to:

provide the first/second billing data to said first/second web site during registration therewith.

(Para [0204]-[0207], refer to transaction process and merchant's web site)

Claim 46. wherein use of said first/second billing data is restricted to transactions between the user and said first/second web site.

(para [0206], ..this insures that only the intended merchant can initiate a transaction with the validated billing data..).

Claim 47. wherein the first billing data corresponds to a selected one of an advance debit charge, a real-time credit charge, or a post-transaction invoicing arrangement, and the second billing data corresponds to a selected one of an advance debit charge, a real-time credit charge, or a post-transaction invoicing arrangement, said second billing data separate and distinct from said first billing data.

(para [0044] and [0045]..pre-paid account or another type of account).

Claim 48. wherein the programming instructions include further programming instructions, when executed by said processor, to enable the apparatus to:

determine at least one user billing format for the user; and register the user with a billing service, said billing service configured to convert, on behalf of the user, between said first/second billing data and the user billing format.

(para [0207] inherent in view of ..the merchant processes..in identical manner to an existing transaction in known systems and since the billing format is controlled by credit card issuer).

Claim 49. wherein the apparatus is embedded within a host selected from a set of hosts consisting of: a computing device, an electronic card, a telephone, a personal digital assistant (PDA), a portable audio device, a portable audiovisual device, a

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cellular telephone, a key-chain dongle, and a transportation device.

(para [0289] alternate web access devices).

Claim 50. The apparatus further comprising a user interface, wherein the programming instructions include further programming instructions, which when executed by the processor, enable the apparatus to:

receive a plurality of billing data from a billing service;
provide the plurality of billing data to the user interface;

request the user to select said first billing data from said plurality of billing data for association with said first web site; and

request the user to select said second billing data from said plurality of billing data for association with said second web site.

[refer to para [0072], [0118] and [0204]-[0206] noting that the user may conduct a plurality of transactions with a plurality of merchants, each having a respective merchant web site.]

Claim 51. The apparatus of claim 43, further comprising:
a network interface;

wherein the programming instructions include further instructions, which when executed by the processor, configure the network interface to connect to a billing service

(para [0207] credit card is processed in an identical manner to an existing transaction in known system).

Claim 52. wherein the programming instructions, when executed by the processor, enable the apparatus to provide in real time said first/second billing data to an electronic device used by the user

(para [0072] refer to function of the central processing station).

Claim 53. Flitcroft teaches an apparatus comprising:
a storage medium having stored therein a plurality of programming instructions designed to enable the apparatus, when the programming instructions are executed, to provide at least a first and a second billing data, that are separate and distinct, for use by a user as a substitute for personal billing data when purchasing goods from a first and a second business; and

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a processor coupled to the storage medium to execute the plurality of programming instructions.

(Fig. 1, credit card processing station and abstract, paragraphs [0069]- [0073]).

Claim 54. a third billing data used by said first/second business for charging the billing service for goods purchased by said user; and

a fourth data for use by the billing service for billing the user for charges received from said first/second business (refer to para [0072], limited use billing datas).

Claim 55. provide a plurality of distinct billing data to an electronic device;

receive a user selection of said first/second separate and distinct billing data from said plurality of billing data; and associate said first/second separate and distinct billing data with said first/second business.

[refer to para [0072] p. 6 ..third embodiment..these limited use numbers..electronically downloaded to a user's personal computer].

Claim 56. dispose said distinct billing data in a memory within the electronic device; identify a connection attempt to a particular business; look for associated billing data for the particular business; and display the associated billing data if found.

[para [0204] the cardholder then requests ..billing datas to be validated for the merchant as identified by the merchant identification number].

Claim 57. automatically connect to the apparatus and inform it of said selection of said first/second distinct billing data.

[para [0204] the request would be transmitted via the Internet to the ..processing system].

Claim 58. provide in real time said first/second billing data to an electronic device operable to purchase goods from said first/second business

[Refer to para [0204] analyzed above and para [0206] merchant's web site].

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Claim 59 . receive notification of usage of said first/second billing data with said first/second business from an electronic device used by a purchaser.

[Refer to para [0206] card holder is given verification of such]

Claim 60. The method of claim 59, wherein said receiving notification comprises receiving a charge against said first/second billing data by said first/second business. [Refer to para [0206] card holder is given verification of such and merchant processes this in identical manner to an existing transaction in known systems].

8. Claims 38-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Franklin et al. (US Pat. 5,883,810) (Franklin).

Claim 38. Franklin discloses a method comprising:
a billing service receiving purchase charges against substitute billing data associated with a user, said substitute billing data substituting for personal billing data of the user; and

the billing service grouping said received charges according each business submitting said charges;

wherein said each business is uniquely associated with different substitute billing data.

[Fig. 5 ..payment authorization phase..col. 10 L 31- col. 11 L 10].

Claim 39. The method of claim 38, further comprising:
disputing charges against said substitute billing data if said received charges are not received from the business uniquely associated with said substitute billing data.

[col. 11 L 11-21, ..if no records are found, the number is deemed invalid..disapproving the transaction].

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Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demoff as applied to claim 21 above.

Claims 22-23: Demoff fails to disclose limitation of the billing service disputing..charges to said billing data (interpreted herein as temporary credit transaction/card number) not received from the web site to which said billing data was provided.

Official is notice is taken that providing for disputing credit card charges from a merchant web site is old and well known business practice. It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to implement these limitations because it would allow the user to have removed any unauthorized charges from his/her account and receive appropriate credit for the unauthorized charges.

11. Claim 24. Demoff fails to disclose limitation of a single press of the control to issue instruction of the user.

Official is notice is taken that providing for a single press of the control to issue instruction to carry out commercial transaction is and well known business practice.

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to implement a single press of the control to issue instruction which would eliminate need for the user to enter a plurality of instruction parameters related to the disputed charges.

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12. Claims 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin as applied to claim 38 above.

Claims 40-42 are analyzed in a similar manner and rationale as claims 22-24 respectively.

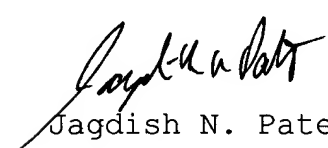
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jagdish Patel whose telephone number is (703) 308-7837. The examiner can normally be reached Monday-Thursday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1038. The fax number for Formal or Official faxes to Technology Center 3600 is (703) 305-7687. **Draft faxes may be submitted directly to the examiner at (703) 746-5563.**

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113 or 308-1114. Address for hand delivery is 2451 Crystal Drive, Crystal Park 5, 7th Floor, Alexandria VA 22202.



Jagdish N. Patel

(Examiner, AU 3624)

7/21/03